

REMARKS

This is in response to the non-final Office Action dated January 24, 2008. For at least the reasons stated below, Applicants submit that all claims are patentable in view of the prior art of record.

Claims 33, 59 and 64 have been amended to provide further clarification regarding the claimed human ability challenge, specifically that the human ability challenge reduces the possibility of automated computerized identification of the content. These amendments do not add any new matter beyond the specification as originally filed, see for example page 5, lines 10-11, 16-19, page 15, lines 3-10. Accordingly, Applicants request entrance and examination.

Claims 33-48, 51-52, 59, 63 and 64 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 93/11511 (“Davis”). This rejection is improper because Davis fails to identically disclose the claimed invention.

As understood, Davis teaches a computerized security system that includes a visual user authentication technique using a variety of user-recognized images. At a login point, Davis requires the user to authenticate their login based on recognizing images. One embodiment includes presenting a user a variety of images that look alike and the user needs to recognize and select one or more images.

By contrast, claims 33, 59 and 64 recite the presentation of “a human ability challenge” which includes “distorted content that reduces the possibility of an automated computerized identification. In support of the rejection, the Examiner cites to page 2, lines 24-28 and page 8 lines 1-12, where these passages describe the general nature of Davis, which is the inclusion of similar images so that the user’s **recognition** of the image defines authentication,

which is wholly inconsistent with distorted content for computerized identification. For example, page 2, lines 24-28 indicate that the image is available for recognition, but further clarification of Davis is found in the following lines, page 2, lines 28-32, which describes the authentication being based on the user's recognition and that the security exists based on the inability for one user to describe the proper image with enough specificity to circumvent the Davis protection system.

As such, Davis does not identically disclose (or teach or suggest) the claimed human ability challenge "having distorted content that reduces the possibility of automated computerized identification" because Davis describes a security system that uses "recognition" and not automated computer identification.

Claims 34-48, 51-52 and 63 depend from claims 33 and 59, respectively, and recite further patentable subject matter therefrom. These claims are allowable for at least the same reasons stated above regarding claims 33 and 59. Accordingly, Applicants request withdrawal of the present rejection.

Claims 49-50 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Davis in view of U.S. Patent No. 5,928,364 ("Yamamoto"). Claims 49-50 depend from claim 33 and recite further patentable subject matter therefrom. These claims are allowable for at least the same reasons stated above regarding claim 33, especially in view of Yamamoto not being asserted to overcome the above-noted deficiencies of Davis. Accordingly, Applicants request withdrawal of the present rejection.

Claims 53-55, 57-58 and 60-62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,209,104 ("Jalili"). Claims 53-55, 57-58 and 60-62 depend from claims 33 and 59, respectively, and recite further patentable subject

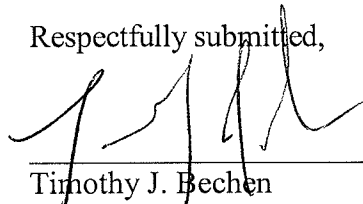
matter therefrom. These claims are allowable for at least the same reasons stated above regarding claims 33 and 59, especially in view of Jalili not being asserted to overcome the above-noted deficiencies of Davis. Accordingly, Applicants request withdrawal of the present rejection.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Dated: February 7, 2008

THIS CORRESPONDENCE IS BEING
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THE PATENT AND TRADEMARK OFFICE EFS
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Respectfully submitted,



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